Informal Meeting of the Justice and Home Affairs Ministers, Amsterdam 25-26 January 2016

Discussion Paper on counterterrorism

Meeting of Ministers of Home Affairs, 25 January 2016

Information exchange on foreign terrorist fighters, firearms and precursors

Over the last decade the EU and its Member States, European and international bodies, have made much effort at the political, legal and operational level to improve information exchange on counterterrorism. In recent years the foreign terrorist fighters issue has been a particular focus. Member States have committed themselves several times to increasing the exchange of information. Recent events and terrorist attacks as well as statistics on input of information in the various systems on EU-level have led us to conclude that there still is room for improvement in effective information exchange between our competent authorities and with European or international bodies. Two dimensions are essential to reach this: quantity, but also quality of information (contextual information concerning foreign fighters and their support networks especially), in order to identify new lines of investigation and to help prevent terrorist attacks and counteract related activities.

A high level of combined expertise and a correct and uniform (standardized) application of systems is crucial. Any challenges and obstacles that still prevent an effective and comprehensive practice must now be eliminated. Whether these lie at political, legal, operational or technical level, concrete and tangible steps must be taken to better facilitate our national competent authorities and European or international bodies. This includes the exchange of information between security services and their respective national law enforcement services, between migration and law enforcement services, or between law enforcement and customs authorities.

The Presidency would like to discuss[1] the remaining underlying obstacles for information exchange on foreign terrorist fighters and ways forward to clear these obstacles, along the lines of the following questions:

1. Given the specific safeguards in the handling of information (such as privacy considerations, source protection) which obstacles do you encounter in the exchange of information between national counterterrorism actors in your country and how does this affect co-operation and information exchange from your country with other European partners?
2. Would you qualify defining common measurable deliverables for input into European systems as necessary in order to achieve an effective practice?
3. What kind of common standards do you consider useful to improve the exchange of actionable information? Examples are timing, quality and additional background information. In which way could investments in collaboration and trust, or secure ICT solutions, support further improvement on current exchange practices? Which additional actions would you like to propose?
4. Would you qualify a uniform (standardized) approach to the implementation and use of detection and signaling systems (such as the SISII, Interpol diffusions) as a vital element in stopping foreign terrorist fighters? In your experience, how are competent authorities best aided in acting upon the alerts entered

1 As mentioned in the cover note, you are kindly invited to share (an outline of) your Minister's response with the Presidency in advance, which will support us in focusing the discussion in the meeting on those points which require the most attention.

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into or resulting from such detection and signaling systems? In which way could the implementation or use be improved?

Another issue that will be addressed is information sharing between Member States on firearms and explosives precursors. The revision of the firearms directive aims to establish a stricter regime for (the sale and purchase of) firearms and a more uniform practice within the EU. Illegal arms trade, including via the internet, is the next target-area for EU Member States in partnership with Europol's Counter Terrorism Centre. National law enforcement agencies have stepped up their intra-EU cooperation and shared more information on their national law enforcement efforts to combat the flow of illegal arms. This includes improved information sharing between organized crime and CT investigations. We have to look for further improvements.

Currently, information sharing on explosives precursors with a (possible) international dimension is ad hoc and limited. This is especially problematic for online trade: it is of key importance that suspicious behavior is immediately reported to the country of delivery (and not only the country where the internet company is established).The effect and value of the existing reporting structures on these suspicious transactions of explosives precursors can be strengthened by organizing information sharing between the national contact points. Other ways to alter this situation is to organize information sharing on licenses, as well as inspection and law enforcement practices. This is especially relevant for customs authorities, so that they can properly check parcels and where appropriate passengers. In this regard, cooperation on national level among all stakeholders involved, including customs authorities and border guards, is important.

5. In addressing better information sharing on firearms and explosives precursors, which capability gaps do you perceive, if any?
6. Would an EU reporting structure be helpful to prevent the use of precursors for explosives, also in view of informing foreign law enforcement authorities in time? Please elaborate.

Comprehensive local approach

Terrorist organizations target urban areas in an effort to destabilize European society. As recent attacks in Europe have shown, some of the terrorists executing these atrocities, grew up in these cities. Law enforcement agencies and intelligence services work around the clock to prevent threats to national security and track down terrorists. National and local authorities are combatting these terrorist groups and the dissemination of their violent ideas and are trying to prevent the growth of new adherents. In many EU Member States local authorities are the first line of defense in countering violent extremism. During this informal JHA Ministerial meeting we want to focus on the importance of local approaches as part of national CT-strategies and discuss how we can strengthen them within the EU.

Most of the local approaches in place center around the premise that combatting terrorism and preventing radicalization is best addressed throughout a targeted strategy in which national and local authorities are partners. Goals of a local approach can be to strengthen the resilience of communities in cooperation with e.g. schools and social networks, to invest in risk assessments and early warning mechanisms and to create possible intervention tools. These interventions can vary from multidisciplinary case-management to an administrative, a criminal justice or an intelligence measure. In every scenario a solid information position and information sharing is crucial. This also concerns a sustainable and active relationship with the local communities. Local governments are addressing many dilemmas while developing these strategies. We would like to address the following questions:

7. Does your national CT strategy include a local approach? What are the main characteristics of your local approach? Do you have best practices to share with other Member States? Do you encounter challenges in developing an effective local approach?
8. Would you asses a local approach to be most effective when it is multidisciplinary, and contains 'preventive' and 'repressive' measures? If so, which local partners should be included in a local approach?
9. How can Member States share information, experience and best practices about a local approach? Do you need EU support (for example through the Radicalization Awareness Network Centre of Excellence) to further implement a local approach and, if so, what kind of support?